

City of Asheville North Carolina



REQUEST FOR BIDS AND PROPOSALS
BID REQUEST NO. 632-06

FOUR 20-TON TILT BED EQUIPMENT TRAILERS
FOR THE CITY OF ASHEVILLE WATER
RESOURCES DEPARTMENT

**BID OPENING DATE: JUNE 9, 2006, AT
3:00 PM**

ISSUED BY: CITY OF ASHEVILLE PURCHASING DIVISION
P. O. BOX 7148
ASHEVILLE, NC 28802
PHONE: (828) 259-5950
NORWOOD R. DUNN, PURCHASING DIRECTOR

BIDS ARE TO BE SEALED AND MAILED TO THE ABOVE POST OFFICE BOX
OR DELIVERED TO THE PURCHASING DIVISION OFFICE LOCATED
AT NO. 3 HUNT HILL PLACE, ASHEVILLE, NC 28801

CITY OF ASHEVILLE, NORTH CAROLINA

PURCHASING DIVISION

Bid Request No. 632-06

Date: May 10, 2006

REQUEST FOR FORMAL BIDS AND PROPOSALS ON

FOUR (4) 20-TON TILT BED EQUIPMENT TRAILERS FOR THE
CITY OF ASHEVILLE WATER RESOURCES DEPARTMENT

Pursuant to General Statutes of North Carolina, Section 143-131, as amended, sealed bids and proposals, subject to the conditions and specifications herein, are invited for furnishing the following equipment, materials, services or repair work. **All bids will be received by the City of Asheville Purchasing Division until 3:00 p.m. on Friday, the 9th day of June, 2006, at which time they will be publicly opened and read.**

TERMS: Net 30

CITY OF ASHEVILLE, N.C.

DELIVERY: Bid Best Delivery

BY: _____
Norwood R. Dunn, Purchasing Director**POSITIVELY NO BIDS CONSIDERED UNLESS SUBMITTED ON THIS FORM**

NOTICE TO BIDDERS: All tax imposed upon any article on which you are bidding shall be shown as separate items and in no case included with price bid. Failure to comply with these conditions will be considered grounds for rejection.

ITEM NO.	QUANTITY	DESCRIPTION	UNIT	UNIT PRICE	EXTENSION
A.	4	20-TON TILT BED EQUIPMENT TRAILERS FOR THE CITY OF ASHEVILLE WATER RESOURCES DEPARTMENT PER THE ATTACHED SPECIFICATIONS, TERMS AND CONDITIONS. RE: SPECIFICATION PAGE 10 THROUGH 11 BID: MAKE: _____ MODEL: _____ DELIVERY WITHIN _____ DAYS A.R.O.	EACH	\$ _____	\$ _____ ===== TOTAL BID
BIDDERS PLEASE NOTE: 1. <u>SPECIAL TERMS AND CONDITIONS</u> – BID PAGE 5, ITEM NO. 9 – EXCEPTIONS TO SPECIFICATIONS OR ALTERNATE BIDS. THE DEADLINE FOR THE CITY'S PURCHASING DIVISION TO RECEIVE EXCEPTIONS TO SPECIFICATIONS, ETC. IS BY 3:00 P.M. ON TUESDAY, MAY 30, 2006. 2. <u>BIDDERS SUBMITTALS</u> – BID PAGE 6, ITEM NO. 11 – BIDDERS TO SUBMIT ONE (1) ORIGINAL BID PACKAGE AND ONE (1) COMPLETE COPY.					

 COMPANY NAME: _____
 ADDRESS: _____
 CITY/STATE: _____
 FEDERAL TAX I.D. NO.: _____

 SIGNED: _____
 DATE: _____
 TELEPHONE: _____
 FAX NUMBER: _____

EMAIL ADDRESS: _____

BID REQUEST NO. 632-06

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GENERAL CONDITIONS

1. All bids and proposals shall be for furnishing apparatus, supplies, materials, equipment and/or work and services in accordance with the applicable plans and specifications prescribed by The City of Asheville. From the date shown until the date of opening the proposals, the plans and specification of one proposed work and/or a complete, description of the apparatus, supplies, materials or equipment and/or work and services are an will continue to be on file in the office of the Director of Purchasing for City of Asheville, N. C., during usual office hours, and available to prospective bidders.
2. The City reserves the right to evaluate all bids especially where there is a wide range in specifications or to reject any and all bids and proposals, and further specifically reserves the right to make the award and/or awards in the best interest of the City of Asheville.
3. Time, in connection with discount offered, will be computed from date of delivery of the supplies or materials on delivery at destination when final inspection and acceptance are at those points, or from date correct invoice is received if latter is later than the date of delivery. Guaranteed maximum price must be shown in all bids.
4. In case of default of the contractor, the City may procure the articles or services from other sources and hold the contractor responsible for any excess cost occasioned thereby.
5. Payment by City due thirty days after delivery in Asheville and inspection unless otherwise specifically provided, subject to any discounts allowed.

BID

In compliance with the above request for bids, and subject to all the conditions thereof, the undersigned offers and agrees, if this bid be accepted within 30 days from the date of the opening, to furnish any or all of the items upon which prices are quoted, at the price set opposite each item, and unless otherwise specified, within _____ days after receipt of order, deliver F.O.B. Asheville, NC. Discounts will be allowed for prompt payments as follows: 10 calendar day, _____ per cent; 15 calendar days, _____ per cent; 20 calendar days, _____ per cent; 30 calendar days _____ per cent.

Bidder: _____ **Address:** _____ **Zip:** _____

By: _____ **Title:** _____

(Authorized to sign bids)

Telephone Number: _____

Date: _____

MAILING INSTRUCTIONS

1. Bidder to submit a complete, fully executed bid document.
2. If mailed, bid should be forwarded by certified U. S. mail. Please address and mark your bid as shown below.

<p>CITY OF ASHEVILLE, N. C. PURCHASING DIVISION P. O. BOX 7148 ASHEVILLE, N. C. 28802 BID REQUEST NO. 632-06 SEALED BIDS ON 4 EACH 20-TON TRAILERS TO BE OPENED 3:00 O'CLOCK P.M. FRIDAY, JUNE 9, 2006</p>
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3. If forwarded other than by mail, delivery must be made directly to City of Asheville, Purchasing Division, No. 3 Hunt Hill Place, Asheville, North Carolina 28801.

NOTE: IF MAIL OR DELIVERY BY ANY OTHER MEANS IS DELAYED BEYOND THE DATE AND HOUR SET FOR BID OPENING, PROPOSAL THUS DELAYED WILL NOT BE CONSIDERED.

**CITY OF ASHEVILLE
PURCHASING DIVISION**

**SPECIAL TERMS AND CONDITIONS FOR FOUR (4) 20-TON TILT
BED EQUIPMENT TRAILERS FOR THE CITY OF ASHEVILLE
WATER RESOURCES DEPARTMENT**

1. **DETAILED SPECIFICATIONS:** Detailed specifications are included as an attachment with this bid request.

Bids to be submitted in accordance with the attached specifications and these Special Terms and Conditions, both of which require doing all that is necessary, proper, or incidental to the furnishing of the equipment identified herein. All things not expressly stated in the attached specifications or Special Terms and Conditions but involved in carrying them out must be included in bidder's proposal as though they were specifically stated.
2. **NOTICE TO BIDDERS:** All bids are subject to the provisions of the instructions to Bidders, special terms and conditions specific to this Invitation for Bids, the specifications, and General Contract Terms and Conditions. The City of Asheville objects to and will not evaluate or consider any additional terms and conditions submitted with a bidder response. This applies to any response appearing in or attached to the document as part of the bidder's response. **DO NOT ATTACH ANY ADDITIONAL TERMS AND CONDITIONS.** By execution and delivery of a proposal, the bidder agrees that any additional terms and conditions, whether submitted purposely or inadvertently, shall have no force or effect. It shall be the bidder's responsibility to read this entire document, review all enclosures and attachments, and comply with all requirements specified herein.
3. **ISSUING OFFICE:** This bid request is issued by the City of Asheville Purchasing Division, No. 3 Hunt Hill Place, P. O. Box 7148, Asheville, North Carolina 28802. All correspondence and inquiry should be made to this address.
4. **CLARIFICATIONS/INTERPRETATIONS:** Any and all questions regarding this document must be addressed to the City of Asheville Purchasing Division. Technical inquiries may be directed to the individual named herein. Any and all revisions to this document shall be made only by written addendum from the City of Asheville Purchasing Division. Therefore, no oral statements by any person shall modify or otherwise affect the terms, conditions, or specifications stated in this request for bids and proposals. The bidder is cautioned that the requirements of this bid can be altered only by written addendum and that verbal communications from whatever source are of no effect.

Continued

5. **COMPLIANCE WITH RULES AND REGULATIONS:** The equipment furnished must comply with all applicable provisions of the Occupational Safety and Health Act (OSHA), the American National Standard Institute (ANSI) and the Federal Motor Vehicle Standards of the U. S. Department of Transportation. The equipment furnished shall be capable of passing any applicable N. C. State motor vehicle inspection.

6. **GENERAL REQUIREMENTS:** The proposed equipment shall be current model year production and furnished complete and ready for use as required by the terms of these specifications.

The equipment furnished shall be the manufacturer's latest listed and published stock model, or models which meet all the applicable requirements of these specifications. Specifications may require that certain makes and models of vehicles, auxiliaries and/or accessories be provided.

All design, materials, and workmanship shall in every respect be in accordance with the best current practices in the industry and all materials used shall be new.

7. **TECHNICAL INQUIRIES:** Questions regarding specifications to be directed to Mr. Chris Dobbins, Fleet Manager, Monday through Friday, 8:30 a.m. – 5:00 p.m. Telephone 828-259-5702.

8. **MINOR DEVIATIONS/EXCEPTIONS TO SPECIFICATIONS:** Minor deviations from the provisions of these specifications may be considered to permit manufacturers to follow their standard manufacturing processes; however, all proposed minor deviations must be explained in detail and submitted within the exceptions to specifications, time frame identified herein.

9. **EXCEPTIONS TO SPECIFICATIONS OR ALTERNATE BIDS:** In all cases equipment and/or materials specified herein must be furnished as requested, and where brand names are used, consider the term "or equal" to follow. However, written approval for any proposed substitution or change in specifications must be obtained by bidder prior to the close of bids. Requests for approved equals, clarifications or changes in specifications, and/or protests of specifications must be received by the City of Asheville in writing, not less than ten (10) days before the date of scheduled bid opening. Such requests should be mailed to City of Asheville, Purchasing Division, P. O. Box 7148, Asheville, North Carolina 28802. Mark envelope "EXCEPTIONS TO SPECIFICATIONS".

Any request for an approved equal, change in specification or protest of specifications must be fully supported with technical data, test results, or other pertinent information and evidence that the substitute offered is equal to, or better than, the specification requirement. In the event that clarifications or changes to bid specifications are necessary or if a proposed substitution is approved during the exception process, the City of Asheville will, if necessary, postpone the scheduled opening of bids so as to provide at least seven (7) days between the mailing of the amended bid specifications and the revised bid opening date.

Changes to specifications will be made by written addendum. Prospective bidders may make appointments to discuss these specifications. This, however, does not relieve prospective bidders from the requirement for a written request for clarification or change to the specifications.

Bidder's failure to request exceptions to specifications or approved equals as stated above will be interpreted as the bidders' intent to comply fully with the requirements as written. Conditional or qualified bids shall be subject to rejection in whole or in part.

The City of Asheville reserves the right to postpone bid openings for its own convenience.

10. **NONCONFORMING TERMS AND CONDITIONS:** A bid response that includes terms and conditions that do not conform to the terms and conditions in this bid document is subject to rejection as nonresponsive. The City of Asheville reserves the right to permit the bidder/vendor to withdraw nonconforming terms and conditions from its bid response prior to a determination by the City of Asheville of nonresponsiveness.
11. **BIDDERS SUBMITTALS:** Bidder must furnish all information requested herein including descriptive literature and/or complete specifications covering the products offered. Reference to literature submitted with a previous bid will not satisfy this provision. Bids which do not comply with these requirements will be subject to rejection. All documents submitted should bear the name of the bidder.
12. **EXPENSES INCURRED IN PREPARING BID:** The City of Asheville accepts no responsibility for any expense incurred by the bidder in the preparation and presentation of a bid. Such expenses shall be borne exclusively by the bidder.

13. **CONTRACT/AWARD**: Pursuant to the laws governing public contracts in North Carolina, the successful bidder's/vendor's response to this Request for Bids and Proposals and any addenda thereto, plus the issuance of a City of Asheville Purchase Order for the proposed goods and/or services shall constitute a binding contract.
14. **OPTION TO PURCHASE ADDITIONAL REQUIREMENTS**: Subject to the successful bidder's acceptance, the City reserves the option to purchase additional equipment as specified herein at the price bid and awarded in this Request for Bids and Proposals.
15. **INDEMNIFICATION**: The bidder/vendor covenants to save, defend, keep harmless, and indemnify the City of Asheville and all of its officers, departments, agencies, agents, and employees from and against all claims, loss, damage, injury, fines, penalties and cost - including court costs and attorney's fees, charges, liability, and exposure, however, caused - resulting from, arising out of, or in any way connected with the bidder's/vendor's negligent performance or nonperformance of the terms of the contract.
16. **ASSIGNMENT**: During the performance of the contract, the bidder/vendor shall not assign, transfer, convey, sublet, or otherwise dispose of any award or any or all of its rights, title, or interest therein, without the prior written consent of the City of Asheville.
17. **VENDOR APPLICATION AND PRIVILEGE LICENSE**: Bidders/vendors that have not previously submitted (within last 12 months) a vendor's application and/or privilege license should complete and transmit an on-line vendor application available on the City website at www.ashevillenc.gov.
18. The vendor shall be responsible for seeing that any and all laws of the State of North Carolina concerning certificate of origin, title, transit or transportation documents, et al, are complied with in all respects.
19. Where reference is made to equipment to be "furnished" or "provided" by the bidder these words shall be read to mean suitably installed on each piece of equipment.
20. **WARRANTY**: Bidder to submit with their bid warranty provisions for equipment being proposed.

21. **TAX EXEMPTIONS:** The City of Asheville is exempt from Federal Excise Tax but not State and Local Sales Tax. Sales tax should not be included in bid prices, but may be added as separate items.
22. **ADDENDUM:** If it becomes necessary to revise any part of the bid, a written addendum will be provided to all bidders. Bidders shall acknowledge receipt of any amendment/addendum by returning a signed copy with their proposal. All addenda are to become a part of the bid documents and subsequent contract award(s).
23. **PREPARATION OF FORMS:** All bids must be submitted on the forms provided. Figures should be written in ink or typewritten. Any changes on the original bid should be made in ink and initialed by the person signing the proposal. If there are discrepancies between unit prices quoted and extensions, the unit price will prevail.
24. **SUBMITTALS:** Bidders to submit one (1) original bid package and one (1) complete copy.
25. **DEADLINE FOR RECEIPT OF BIDS:** The date and time of the bid opening are specified in the bid document. Bids received after that time will not be opened.
26. **SUBMISSION OF BIDS:** All bids should be submitted in a sealed envelope, the outside should be clearly marked with the bid number and the date and time scheduled for the opening of the bid. Bids should be mailed to the CITY OF ASHEVILLE PURCHASING DIVISION, POST OFFICE BOX 7148, ASHEVILLE, NORTH CAROLINA 28802, or may be delivered to the CITY OF ASHEVILLE PURCHASING DIVISION, 3 HUNT HILL PLACE, ASHEVILLE, NORTH CAROLINA 28801. Bids will be received until 3:00 p.m. on the date set for the bid opening.
27. **DELIVERY:** Delivery shall be made F.O.B.: City of Asheville Fleet Management Division. 173 South Charlotte Street, Asheville, North Carolina 28801.
28. **MINORITY BUSINESS PARTICIPATION:** The City of Asheville has adopted a Minority Business Plan to encourage participation by minority businesses in the award of contracts. Bidders are hereby notified that this bid is subject to the provisions of that Plan. Questions regarding the Minority Business Plan may be directed to Brenda Mills, Director of the Asheville Minority Business Program at 828-232-4566 or to the City of Asheville Purchasing Division Office at 828-259-5950. It is the policy of the City to (1) provide minorities an equal

opportunity to participate in all aspects of its contracting and procurement programs, and (2) prohibit any and all discrimination against persons or businesses in pursuit of these opportunities. Minority participation goals for procurement contracts are: 5% African Americans, 2% Hispanic, Asian and Native Americans and 18% for women owned businesses.

29. **BIDDERS QUALIFICATIONS:** By submittal of a bid, the bidder represents that they are fully experienced and properly qualified to provide equipment and services as requested herein, and that they are properly licensed, equipped, organized and financed to perform such service.
30. **DELINQUENT AD VALOREM TAXES:** Bidders/Vendors please note that City Policy adopted by City Council Resolution No. 93-139 prohibits the City from entering into contracts with persons or firms who are delinquent in the payment of ad valorem taxes owed to the City of Asheville.
31. **FALSE OR MISLEADING STATEMENTS:** If in the City's opinion, a proposal contains false or misleading statements or references that do not support a function, attribute capacity or condition as contended by the vendor the entire proposal may be rejected.
32. **PAYMENT OF INVOICES:** Upon delivery and acceptance, the terms of payment for the City are Net 30 days unless a discount is offered for early payment. If a discount is offered, time will be computed from the date of receipt of a correct invoice.
33. **EVALUATION AND SELECTION OF BIDS:** The evaluation of vendor bids shall center on the match between the stated specification requirements in the final bid request and the vendor's proposed equipment including selection of the lowest responsible bidder, with consideration of past performance, service record, and reliability. The statutory provisions controlling purchasing by local governments in N. C. (GS-143) includes selection standards for use in making of awarded. The provision reads, "All contracts shall be awarded to the lowest responsible bidder, taking into consideration quality, performance, and the time specified in the bids for the performance of the contract". The City of Asheville reserves the right to accept or reject any or all bids and proposals and further specifically reserves the right to make the award or awards in the best interest of the City of Asheville.
34. **City requests all bids be made firm for no less than thirty (30) days.**

20-TON TILT BED EQUIPMENT TRAILERS

Minimum technical specifications for four (4) 20-ton tilt bed equipment trailers to be used in the Water Resources Department. Vehicle shall be new, unused and manufacturer's latest production model. All Federal, State and OSHA requirements and standards shall be met.

NOTE: All bidders shall respond to each category below. Any 'no" responses or deviations shall be explained in the space provided. If complies, put a check mark in the appropriate box.

<u>SPECIFICATION</u>	<u>COMPLIES</u>	<u>IF NO: DEVIATES AS NOTED</u>
1. Four (4) 20-Ton Tilt Bed Equipment Trailer		
A. Maximum payload shall be 40,000 lbs with adequate hitch load.		
B. GVWR 49,000 lbs nominal.		
C. Overall length is 31 feet maximum.		
D. Deck length is a total of 24 feet minimum. 16 feet is flat and 8 feet is tapered.		
E. Overall width and deck width is 8 feet 6 inches.		
F. Deck height is 36 inches nominal.		
G. Hitch shall be a 3-inch forged eye with an adjustable height of 14 inches to 25 inches range.		
H. Axles shall be two Dexter axles rated at 20,000 lbs each with oil bath bearings.		
I. Suspension is a multi leaf spring design with sufficient capacity to carry the GVWR.		
J. Brakes shall be air brakes with ABS, self-adjusting on both axles. Parking brake shall be spring brake design on both axles.		
K. Wheels shall be standard steel construction dual 17.5"x6.75", 8-bolt lugs or equivalent. One (1) matching spare tire and wheel assembly supplied with each trailer.		
L. Tires shall be 215/75R17" 16-ply or equivalent. Trailer rated for the GVWR specified.		
M. Jack capacity shall be 12,000 lbs minimum.		
N. Frame and deck shall be a steel i-beam construction with double channel cross members and side rails. Decking material must be 2"x8" treated oak. All steel shall be primed coated and finish coated throughout.		
O. Tie-Downs shall be a rub rail design with stake pockets.		
P. Lighting shall be DOT approved, sealed units and rubber-mounted design.		

COMPANY NAME: _____

BY: _____

Q. Color preferred is yellow. Black, orange or red acceptable.		
R. One set of parts & repair manuals preferred or CD ROM if manuals not available. Delivered with trailer		
S. Acceptance – Prior to acceptance of this bid item and final payment of invoice, this bid item shall be checked against the above written specifications. The item offered for bid must meet or exceed these specifications as agreed to and stated by the vendor.		
T. Documentation - All required title licensing paperwork and a copy of the invoice must be with the vehicle at the time of delivery. <u>Any missing paperwork at the time of delivery will result in delay of payment.</u>		
U. Delivery - F.O.B.: City of Asheville, Fleet Management 173 South Charlotte Street, Asheville, NC 28801 Telephone: 828-259-5700		

CONSIDERATION GIVEN IN THE EVALUATION OF ALTERNATE BIDS FOR AWARD WILL INCLUDE HISTORICAL OPERATING COST/MILE DATA, DELIVERY CAPABILITY, LOCAL DEALER WARRANTY & SERVICE COSTS AND OTHER FACTORS ROUTINELY CONSIDERED IN BID EVALUATIONS.

COMPANY NAME: _____

BY: _____

CITY OF ASHEVILLE
PURCHASING DIVISION

BID REQUEST NO. 632-06

FOUR (4) 20-TON TILT BED EQUIPMENT TRAILERS
FOR THE CITY OF ASHEVILLE WATER RESOURCES DEPARTMENT

THE UNDERSIGNED AFIRMS THAT THE PROPOSAL MADE HERE-IN IS MADE WITHOUT ANY CONNECTIONS WITH ANY OTHER PERSON, OR PERSONS, MAKING ANY OTHER PROPOSAL FOR THE ABOVE ITEM(S): THAT IT IS IN ALL RESPECTS FAIR AND WITHOUT COLUSION OR FRAUD:

THAT _____ (FIRM NAME) IS NOT CONNECTED IN ANY OFFICIAL CAPACITY WITH THE CITY OF ASHEVILLE, AND THAT NO PERSON, OR PERSONS, ACTING IN SUCH CAPACITY ARE DIRECTLY, OR INDIRECTLY, INTERESTED HEREIN OR IN ANY OF THE PROFIT ARISING OR ANTICIPATED FROM THIS TRANSACTION.

IN MAKING THIS PROPOSAL, IT IS UNDERSTOOD AND AGREED, THAT THE CONDITIONS SET FORTH IN THE ADVERTISEMENT FOR BIDS, INSTRUCTIONS TO BIDDERS, TERMS AND CONDITIONS AND SPECIFICATIONS TOGETHER WITH THE PROPOSAL SHALL FORM A PART OF AND BE CONSTRUED WITH THE CONTRACT MADE UNDER THE SAME.

THE ACCEPTANCE OF THIS PROPOSAL BY THE CITY OF ASHEVILLE, AS EVIDENCED BY THE ISSUANCE OF A CITY OF ASHEVILLE PURCHASE ORDER, WILL BE HELD TO BE A MUTUAL AGREEMENT AS TO EACH AND EVERY CLAUSE OF THIS PROPOSAL AND TO CONSTITUTE A CONTRACT BETWEEN THE PARTIES HERETO.

FIRM NAME: _____

ADDRESS: _____

BY: _____

TITLE: _____